



Florida Impaired Driving Coalition Meeting Report August 11-12, 2022

Prepared For:

Florida Department of Transportation

Prepared By:

Cambridge Systematics, Inc.

1.0 Attendees

Members:

Name	Agency Represented	Attendance
Anne Rollyson	Florida Safety Council	☒
Sgt. Anthony Palese	Florida Highway Patrol	☒
Chief Art Bodenheimer	Lake Alfred Police Department	☐
Sgt. Ben Shaw	Jacksonville Sheriff's Office	☒
Brandy Howard	SunCoast Safety Council	☐
Dr. Brett Kirkland	Florida Dept. of Law Enforcement, Alcohol Testing Program	☐
Chief Brett Railey	Florida Police Chiefs Association	☒
Lt. Channing Taylor	Florida Highway Patrol	☒
Chris Craig	Florida Dept. of Transportation, State Safety Office	☒
Chris Earl	Florida Safety Council	☐
Chrystal Williams	Florida Dept. of Health, Office of Medical Marijuana Use	☐
Cpl. Daniel Darren	Collier County Sheriff's Office	☒
Dennis Siewert	Florida Dept. of Law Enforcement, Toxicology	☒
Chief David Ennis	Retired	☒
Delton Perry	Florida Dept. of Highway Safety and Motor Vehicles	☒
Ellen Snelling	Tampa Alcohol Coalition	☒
Elvia Marcus	Miami-Dade County State Attorney's Office	☐
Ernie Bradley	Florida Dept. of Transportation, State Safety Office	☒
Geoff Luebke	The Florida Restaurant & Lodging Association Regulatory Compliance Services, Inc.	☒
Helen Justice	DUI Counterattack, Hillsborough, Inc.	☐
Sgt. Hugh Gross	Hillsborough County Sheriff's Office	☒
Isabel Perez-Morina	Advocate Program, Inc./Florida Association of Community Corrections	☐
DS. John Howard	St. Johns County Sheriff's Office	☐
Jon Askins	Institute of Police Technology and Management	☒
Juan Cardona	University of North Florida, Institute of Police Technology and Management	☐
Kathy Jimenez-Morales	Florida Dept. of Highway Safety and Motor Vehicles	☐
Det. Kevin Millan	Miami Beach Police Department	☒

Kyle Clark	International Association of Chiefs of Police	☒
Larry Coggins	Mothers Against Drunk Driving ,MADD,	☐
Dr. Lisa Reidy	University of Miami, Division of Toxicology	☐
Lora Hollingsworth	Florida Dept. of Transportation, State Safety Office	☐
Malcom Osteen	United States Probation/United States Coast Guard ,Reserve,	☐
Marcie Padron	Orange County Sheriff's Office	☐
Lt. Col. Mark Brown	Florida Highway Patrol	☐
Sgt. Mark Eastty	Pinellas County Sheriff's Office	☒
Mary Lewis	Florida Dept. of Highway Safety and Motor Vehicles	☒
Sgt. Matthew Rosenbloom	Pasco County Sheriff's Office	☐
Melissa Valido	Students Against Destructive Decisions ,SADD,	☐
Mike Zinn	Florida Dept. of Transportation, District 7	☒
Lt. Michael Marden	Lake County Sheriff's Office	☐
Nicholas Tiscione	Palm Beach County Sheriff's Office	☒
Capt. Rachel Bryant	Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, Statewide Boating Safety Unit	☒
Ray Graves	Florida Dept. of Highway Safety and Motor Vehicles	☐
Richie Frederick	Florida Dept. of Highway Safety and Motor Vehicles	☐
Sgt. Ryan Clifton	Broward Sheriff's Office	☐
Shayla Platt	Florida Dept. of Law Enforcement, Alcohol Testing Program	☐
Spencer Hathaway	7th Judicial Circuit State Attorney's Office	☐
Stephen Talpins	Miami-Dade County State Attorney's Office	☐
Theresa Chestnut	Florida Dept. of Transportation, District 1	☒
Thomas Graham	Florida Dept. of Law Enforcement, Alcohol Testing Program	☒
Tim Cornelius	Institute of Police Technology and Management	☒
Tim Roberts	Institute of Police Technology and Management	☒
Todd Schimpf	Florida Dept. of Health Office of Medical Marijuana Use	☐
Ofc. Tom Apsey	Seminole Police Department ,Seminole Tribe of Florida,	☐
Tom Moffett	Florida Dept. of Highway Safety and Motor Vehicles	☐
Vernon Howell	Florida Dept. of Highway Safety and Motor Vehicles	☐

Vin Petty	Tallahassee Community College, Florida Public Safety Institute	☒
Capt. William Jarvis	Florida Dept. of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Bureau of Law Enforcement	☐
Hon. William Overton	Trial Court Judge	☐
Sgt. William Weaver	Orlando Police Department	☐

Traffic Safety Partners

Name	Agency Represented	Attendance
Alan Amidon	Cambridge Systematics	☒
Danny Shopf	Cambridge Systematics	☒
Elizabeth ,EJ, Chedester	Center for Urban Transportation Research	☐
Olimpia Jackson	United States Navy	☐
Chanyoung Lee	Center for Urban Transportation Research	☒
Ryan Huff	Center for Urban Transportation Research	☒
Joe Pecchio	AAA	☐
Karen Morgan	AAA	☐
Matt Nasworthy	AAA	☐
Murray Brooks	SCRAM Systems	☐
Dr. Patricia Byers	University of Miami Miller School of Medicine / Department of Surgery	☐
Sandy Ho	Great Bay Distributors	☐

2.0 Meeting Notes – August 11

Welcome & Introductions

Kyle Clark, International Association of Chiefs of Police, (IACP) introduced himself and welcomed participants to the Florida Impaired Driving Coalition (FIDC) meeting. He facilitated a round of introductions and provided updates on items of interest happening nationally and what they mean for impaired driving.

He noted that the IACP is holding the Impaired Driving and Traffic Safety Conference (IDTS) in San Antonio, Texas from August 21-23, 2022. He said impaired driving training curricula manuals were updated. Consolidation of the manuals is the last step before finalization with an end of the year publication target. Concluding his introduction, he emphasized that Florida is one of six states with a Driving Under the Influence (DUI) law that requires a controlled substance, as opposed to all psychoactive or impairing substances, for DUI eligibility.

2022 Florida DUI Assessment Priority Recommendations

Chris Craig, Florida Department of Transportation (FDOT), provided a high-level overview of the National Highway Traffic Safety Administration (NHTSA) assessment process to recommended improvements to the FIDC. The assessment team provided the coalition with opportunities for improvement. He thanked the coalition for participating in the assessment process. He noted that the feedback concerning sooner notification and distribution of the assessment questions will be provided to the NHTSA team in the future. He said this meeting will focus on the high-level recommendations that are the core of the 90-page assessment report. The recommendations and the coalition's input to them will inform the FIDC Strategic Plan. The final assessment report will be shared with the coalition in electronic form.

Danny Shopf, Cambridge Systematics, outlined the organization of the assessment recommendations. The recommendations to be reviewed on Day 1 were as follows:

- Program Management and Strategic Planning
- Prevention
- Communications Program

Danny shared each of the assessment recommendations with the coalition. Chris Craig and Ernie Bradley, FDOT, provided context and clarification when needed. The coalition provided feedback on each recommendation. The discussion focused on identifying follow up items for FDOT and the assessment team, and brainstorming action steps to implement each recommendation. Action items are **bold, italicized, and underlined**.

Program Management and Strategic Planning: State and Tribal DWI Task Forces or Commissions

Danny reviewed the assessment recommendations for the state and Tribal DWI Task Forces or Commissions that focused on the Highway Safety Plan (HSP) and subgrant process and adding a treatment provider to the coalition's membership.

Participants had the following questions and comments:

- The coalition agreed that an annual or semiannual update in November on the funding process and opportunities of the HSP will become a regular action item. The presentation will include the list of applicants, priority communities based on the Highway Safety Matrix, funding amounts, and what is being funded and why.
 - **FY23 HSP Grant Presentation for November 7-8, 2022, meeting.**
- The coalition suggested a short-term goal would be to obtain participation in the coalition from a single treatment provider.
 - A representative from the Department of Children and Families would provide a broader perspective.
- The Florida Association of Drug and Alcohol Abuse would likely have members interested in joining the coalition as treatment provider representatives.
- **The coalition suggested considering revising the best practices document developed in 2011 for treatment providers.**

Program Management and Strategic Planning: Strategic Planning

Danny reviewed the assessment recommendations that focused on the timeframe for updating the FIDC Strategic Plan and creating a data supported visual representation of the impaired driving countermeasure system.

Participants had the following questions and comments:

- The coalition agreed that the FIDC Strategic Plan is updated regularly as a living document, but that there is value in a regular full overhaul.
- The DUI countermeasures process visualization could help identify responsibilities and manage personnel transitions, identify membership vacancies, and be useful as a publicly available resource.
 - **The coalition agreed to identify states with existing DUI countermeasure visualizations and use them as a template for developing a visualization for the Florida process.**

Program Management and Strategic Planning: Program Management

Danny reviewed the assessment recommendations that focused on establishing a Judicial Outreach Liaison.

Participants had the following questions and comments:

- Judge Overton is coordinating to find suitable candidates.

Prevention: Responsible Alcohol Service

Danny reviewed the assessment recommendations for Responsible Alcohol Service that focuses on best practices guides for special events, signage, and responsible alcohol service training.

Participants had the following questions and comments:

- Implementing these recommendations requires balancing private interests and public safety. It could be a collaborative opportunity.
- Although some states require signage that discourages impaired driving at all establishments that serve alcohol, Florida does not. Florida's voluntary responsible vendor program incentivizes participation by protecting liquor licenses if certain criteria are met. Additional insurance incentives could also encourage participation in the program.
 - Comparing the effects of mandated responsible service training to incentivize voluntary participation to impaired driving incidents could be an interesting research question the coalition should consider exploring.
 - The coalition agreed to draft model language and create a guidance document for responsible service training and certification.

Prevention: Community Based Programs – Schools

Danny reviewed the assessment recommendations for Community Based Programs in schools. The assessment recommendations focused on impaired driving prevention activities, Drug Impairment Training for Education Professionals, and establishing a consortium of college-based substance abuse prevention programs.

Participants had the following questions and comments:

- The coalition agreed school programs should focus on *any* substance *use* rather than *abuse*.
- The coalition agreed that the Florida Department of Highway Safety and Motor Vehicles (FLHSMV) school program should be a starting point focusing in on hot spot areas such as South Florida and Hillsborough County. FDOT will follow up with the assessors about best practices for school programs.
- The coalition agreed that Drug Impairment Training for Educational Professionals (DITEP) with content developed by the Institute of Police Technology and Police Management (IPTM) would be useful in Florida schools and that coordinating with the Florida Teen Safe Driving Coalition (FTSDC) for DITEPs inclusion in the Weeks of Awareness campaign should be considered. Additionally, part of this effort should include a component for areas with less resources.

Prevention: Community Based Programs - Employers

Danny reviewed the assessment recommendations for employer-based community programs that focused on Employee Assistance Programs and educational materials for workplace distribution.

Participants had the following questions and comments:

- The coalition agreed the IACP's Employer Drug Impairment Training (IDTEP) would serve as a starting point. Ensuring the training is driving focused is critical. A potential pilot for the next grant cycle may be developed.
- The coalition agreed that partnering with insurances companies and the Department of Financial Services (DFS) who regulate and certify Drug-Free Workplace designations is worth exploring.
- **The FIDC will coordinate with the FTSDC concerning drafting model language for employer adoption, noting that a state agency may be interested in piloting adoption.**
- There may be a training opportunity as cannabis legalization ballot measures increase in visibility.
- FDOT will follow up with the assessment team to determine action steps for this endeavor.

Prevention: Community Based Programs - Community Coalitions and Traffic Safety Programs

Danny reviewed the assessment recommendations for community coalitions and traffic safety programs that focused on federal Drug-Free Communities and Partnership for Success grants.

Participants had the following questions and comments:

- FDOT will follow up with the assessment team about Drug-Free Communities and Partnership for Success grants application process, eligibility, and funding requirements.
- A coalition member familiar with these grant programs provided context and background.
- The coalition emphasized the importance of supporting community coalitions and partners' awareness of these grant programs and support for those applying.
- **The coalition will determine grant availability and cross check them with HSP funded projects and follow up with local partners' needs for pursuing both of these grants.**

Prevention: Community Based Programs - Transportation Alternatives

Danny reviewed the assessment recommendations for Transportation Alternatives focused on raising awareness for drugged and buzzed driving and reviewing the Ignition Interlock Device Program.

Participants had the following questions and comments:

- Some diversion programs include ignition interlock devices. Judicial alignment is important for this inclusion.
 - **The coalition will identify a subcommittee to conduct a comprehensive review of the Ignition Interlock Device program to identify trends, successes, and points for improvement.**
- Funding for the 24/7 program may be changing. FDOT will continue to monitor budgetary changes.

Florida Fish and Wildlife Commission Boating Under the Influence Data Presentation

Captain Rachel Bryant, Florida Fish and Wildlife Conservation Commission (FWC) presented on Boating Under the Influence (BUI) data. She emphasized the direct link between BUIs and DUIs because approximately 90 percent of boaters drive to access water bodies. She said that Florida has over one million registered vessels and there are estimated to be at least an additional million unregistered vessels. She displayed the top ten counties by overall BUI arrests from 2018-2022. The counties with the most BUI arrests were Miami-Dade, Okaloosa, Hillsborough, Palm Beach, Monroe, Bay, Volusia, Manatee, Collier, and Escambia counties. Although alcohol is only a primary contributing factor in four to five percent of boating incidents, alcohol and drugs are involved in 22 percent of fatal incidents. She said her team is coordinating with Mothers Against Drunk Driving (MADD) to kick-off Operation Dry Water (ODW), a year-round BUI enforcement and awareness campaign, in Florida next year. She concluded her presentation by highlighting the jump in BUI cases during Operation Dry Water from 2021 (38) to 2022 (90).

Participants had following question and comments:

- What would it take to get the number of refusals down?
 - It would likely require affecting boating privileges.
- Are there diversion programs looking at BUIs? Does BUI affect voting privileges?
 - BUI refusal is a civil violation with a \$500 fine. Because of this close to half of BUIs have refusals. Both DUI and BUI have same substance stipulations, however. Similar to DUI, BUI is also applicable to non-motorized vessels but not tubing.

2022 Florida DUI Assessment Priority Recommendations – Communication Program

Danny reviewed the assessment recommendations for the communications program that focused on comprehensively documenting the coalition's communication efforts, utilizing Census Tract data to enhance outreach programs, and utilizing the perception of risk in media messages.

Participants had the following questions and comments:

- The Census recommendations may be challenging because critical information is lacking in crash reports and is unlikely to be added in the near future.
- **The coalition will detail existing efforts in its Communications Plan.**
 - **The plan will be updated and FDOT will continue to provide high level updates to the coalition.**
 - **The updated communications plan will include the Law Enforcement Liaison (LEL) Outreach Program and partnerships with the Florida Highway Patrol (FHP), FLHSMV and local agencies.**
- There are challenges with drugged driving materials on social media sites. Some sites automatically block content flagging it as drug material.
 - **The Center for Urban Transportation Research (CUTR) is investigating drugged driving messaging.**

FDOT DUI Outreach, Education, and Media Materials

Chris Craig led a group discussion to provide feedback on the updated DUI materials. The coalition provided input and feedback on the materials. The feedback was recorded and will be implemented before the next meeting.

Public Comment Period

There were no comments from the public.

Day 1 Recap and Wrap Up

Kyle thanked participants for their engagement throughout the meeting and reminded participants to return at 9:00 am the following morning.

Adjourn

Day 1 Meeting adjourned at 5:00 pm

3.0 Meeting Notes – August 12

Review of Day One

Kyle Clark provided a recap of Day 1 of the August 2022 FIDC Meeting. He said Chris provided an overview of the Impaired Driving Assessment Process and will provide the full report electronically. There will be an annual or semi-annual update on HSP grant funded activities. A treatment provider potentially from DCF will be added to the coalition's membership. A visualization of the DUI countermeasure system will be developed to assist in identifying gaps. Judge Overton is coordinating with potential candidates for a Judicial Liaison position. The coalition is interested in comparing the mandated and incentivized approaches for responsible alcohol service. FLHSMV is developing presentation materials for schools. DITEP is recommended by the assessment but may need additional funding sources. He noted that the assessment commended the coalition's efforts for the inclusion of drugged and buzzed driving in its impaired media materials. A potential subcommittee may examine the Ignition Interlock Device program. He said Captain Rachel Bryant's BUI presentation showed that alcohol was the primary contributing factor in four to five percent of BUI incidents, but that alcohol and drugs were contributing factors in 22 percent of fatal incidents.

2022 Florida DUI Assessment Priority Recommendations

Danny reviewed the assessment recommendations for Danny outlined the organization of the assessment recommendations. The recommendations to be reviewed on Day 2 were as follows:

- Program Evaluation and Data
- Alcohol & Other Drug Misuse
- Criminal justice System

2022 Florida DUI Assessment Priority Recommendations – Program Evaluation and Data.

Danny reviewed the assessment recommendations for Program Evaluation and Data that focused on evaluation, and data and records.

Program Evaluation and Data: Evaluation

Danny reviewed the assessment recommendations for Evaluation focused on geographical outcome analyses, and project process and outcome measures.

Participants had the following questions and comments:

- An observational survey conducted by officers could be utilized, but it would be important to control for decreases in staffing i.e. decreased staffing levels could be the cause of less DUI cases, despite rates of impaired driving staying the same or increasing.
 - **The coalition will develop questions for an observational survey.**
- Miami-Dade Police Department conducted a roadside observational survey in 2018 that could serve as a model.

Program Evaluation and Data: Data and Records

Danny reviewed the assessment recommendations for Data and Records focused on tracking diversion programs and the integration of crash records systems.

Participants had the following questions and comments:

- Currently, there is no mechanism for the likely responsible agency to track diversion programs.
- Chris Craig updated the coalition on the ongoing project to merge the Crash Analysis Reporting System (CARS) and Signal 4 Analytics.

2022 Florida DUI Assessment Priority Recommendations – Alcohol and Other Drug Misuse

Danny reviewed the assessment recommendations for Alcohol and Other Drug Misuse focused on Screening and Assessment, and Treatment and Rehabilitation.

Specific recommendations were addressed during previous section discussions. Participants had no additional questions or comments.

Alcohol and Other Drug Misuse: Screening and Assessment

Danny reviewed the assessment recommendations for Screening and Assessment focused on the criminal justice system, and medical and other settings.

Specific recommendations were addressed during previous section discussions. Participants had no additional questions or comments.

2022 Florida DUI Assessment Priority Recommendations – Criminal Justice System

Danny reviewed the assessment recommendations for the Criminal Justice System focused on Laws, Enforcement, Prosecution, and Adjudication.

Specific recommendations were addressed during previous section discussions. Participants had no additional questions or comments.

Criminal Justice System: Laws

Danny reviewed the assessment recommendations focused on per se impaired driving drug offense, Dram Shop Liability, statewide uniformity of prosecuting impaired driving, and diversion programs, blood warrant search warrants to include misdemeanors, and mandatory ignition interlock devices for all first-time offenders.

Participants had the following questions and comments:

- The established Florida case law is a challenge to revising the Dram Shop Liability law. Florida is one of the few states that does not have laws against serving the extremely intoxicated. Florida law only holds drinking establishments liable in serving “habitual drunkards.”
 - **Although the case law is challenging, the coalition will revisit this on an annual basis and will continue drafting recommendations and suggestions white paper.**

Criminal Justice System: Enforcement

Danny reviewed the assessment recommendations focused on ignition interlock devices for all first-time offenders, educational materials for ignition interlock circumvention, High Visibility Enforcement events, and funding for Standardized Field Sobriety Testing, Advanced Roadside Impaired Driving Enforcement, Standardized Field Sobriety Testing Refresher, and Drug Evaluation and Classification course materials. Additional recommendations focused on funding breath testing instruments and law enforcement phlebotomy programs, centralization of data collection from impaired driving subgrantees' enforcement activities, refining drugged driving statute, and the use of search warrants to obtain blood sample evidence.

Participants had the following questions and comments:

- Involving the Florida Department of Law Enforcement (FDLE) in Standardized Field Sobriety Testing training may be necessary.
- Although funding for breath testing instruments is an issue in some jurisdictions, like Jacksonville, the transportation of suspects to booking locations causes more delay.
 - **FDOT will investigate whether NHTSA will fund an overtime corrections transportation position.**
- It was emphasized that officers conducting field sobriety tests must ensure proper procedure is followed to maintain a strong legal case.

Criminal Justice System: Prosecution

Danny reviewed the assessment recommendations focused on DUI Courts, uniformity in diversion programs, blood draw warrants for misdemeanor impaired driving offenses, and data centralization for diversion programs.

Participants had the following questions and comments:

- **The coalition will verify that the model language for blood draw warrants includes misdemeanor offenses.**
- **The coalition will revise the ignition interlock device model language based on the MADD template.**

Criminal Justice System: Adjudication

Danny reviewed the assessment recommendations focused on DUI Courts, uniformity in diversion programs, blood draw warrants for misdemeanor impaired driving offenses.

Specific recommendations were addressed during previous section discussions. Participants had no additional questions or comments.

Legislative Updates/Upcoming Legislation

The coalition was updated on recent legislative developments. MADD is considering a push for Florida adopting Bentley's law, which requires those convicted of DUI and vehicular homicide of a parent to pay child support to the deceased' children. MADD is currently waiting for toxicology to propose the drug loophole fix, noting that the restitution law may need to be updated as well.

There is a potential ballot initiative being sponsored by a Florida- based company and influential figures for full cannabis legalization. The ballot measure will require 900,000 signatures to be placed on the 2024 ballot. More information about the potential ballot initiative can be found at:

<https://wusfnews.wusf.usf.edu/politics-issues/2022-08-08/trulieve-bellamy-brothers-behind-florida-push-legal-recreational-marijuana>

The Bourbon bill may be introduced in the next legislative session. The bill amends Florida Statute chapters' impairing substance language, amends search warrants for DUI requirements, establishes per se amount for any chemical defined under F.S. Ch. 877 or controlled substance defined under F.S. Ch. 893 and establishes that if found in blood these chemicals and controlled substances as defined above proves the DUI charge. Additionally, the law specifies that legal prescriptions can still be impairing substances.

Ellen Snelling, Tampa Alcohol Association, discussed the recently announced cannabis legalization ballot initiative. She cautioned that full legalization could have unintended consequences. It was noted that the activities of the coalition will continue to focus on the impacts to safe driving efforts of all substance use.

Public Comment Period

There were no public comments.

Next Steps/Upcoming Topics/Future FIDC Meeting Schedule

- FIDC Action/Communications Plan Finalization and Approval
 - FIDC will focus on updating the Impaired Driving Strategic Plan and Action Plan in FY23 based on assessment recommendations and updated SHSP
- Upcoming
 - FDOT Traffic Safety Resource Center Website
 - FDOT Safety Office Subgrant Funding Applications
 - Concept Paper Submission Window Opens January 1,2023
 - Concept Paper Submission Window Closes February 28,2023
 - [FDOT Concept Paper Website](#)
- Future Presentations
 - IPTM Florida Drug Evaluation and Classification Program Updates
 - Recommendations
- Future FIDC Meeting Information
 - FY22-23 Q1 Meeting, November 7-8, 2022, Location: Orlando
 - FY22-23 Q2 Meeting, March 2-3, 2023, Location: Orlando
 - FY22-23 Q3 Meeting, May 4-5, 2023, Location: Orlando, Tentative,
 - FY22-23 Q4 Meeting, August 17-18, 2023, Location: Orlando, Tentative,

Adjourn

Day 2 Meeting adjourned at 12:00 pm

Contact information for Florida Impaired Driving Coalition questions:

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